

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	4:08CR3028
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	<b>ORDER</b>
TYLER J. KERSENBROCK,	)	
	)	
Defendant.	)	

The defendant appeals Judge Piester's order of detention. I have reviewed the record.

Given the defendant's previous lie to the pretrial services officer about the use of alcohol and the fact that the defendant has now pled guilty to a drug offense, the defendant's admitted use of his wife's prescription controlled substance, even if truly inadvertent, is reason enough to detain him. Having admitted his guilt, it is now up to the defendant to show by clear and convincing evidence that he is not a danger to the community. *See* [18 U.S.C. § 3143\(a\)](#). On the record before me, the defendant has not made the required showing. Therefore,

IT IS ORDERED that appeal of the magistrate's order of detention ([filing 44](#)) is denied.

May 27, 2008.

BY THE COURT:

*s/ Richard G. Kopf*  
United States District Judge